

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PRINCETON DEVELOPMENTS, LLC,

Plaintiff,

v.

BRYNEE K. BAYLOR; BAYLOR &
JACKSON, PLLC; THE MILAN GROUP,
INC.; FRANK LORENZO; GPH
HOLDINGS, LLC; and PATRICK LEWIS,

Defendants.

No. C 11-4471 CW

ORDER OVERRULING
DEFENDANT FRANK
LORENZO PAVLICO'S
OPPOSITION TO
PLAINTIFFS'
MOTIONS TO AMEND

KUMAN BANQUE, LLC,

Plaintiff,

v.

BRYNEE K. BAYLOR; BAYLOR &
JACKSON, PLLC; THE MILAN GROUP,
INC.; and FRANK LORENZO,

Defendants.

No. C 11-4472 CW

On May 4, 2012, Plaintiffs Princeton Developments, LLC and Kuman Banque LLC filed motions seeking leave to amend the complaints in these related cases.

On May 23, 2012, having received no opposition, the Court granted the motions and allowed Plaintiffs to file their first amended complaints.

On June 1, 2012, Defendant Frank Lorenzo Pavlico filed a document stating that he was not properly served with Plaintiffs' motions and requesting permission to file oppositions to the motions. The Court granted Defendant's request on June 6, 2012.

1 On June 19, 2012, Defendant filed his oppositions, arguing
2 that Plaintiffs will not be able to prove their claims ultimately
3 and that they have not offered evidence in support of the
4 allegations contained in their proposed first amended complaint.

5 Having considered Defendant's oppositions, the Court finds no
6 cause to reconsider its May 23, 2012 Order. Defendant's
7 evidentiary arguments are more properly addressed to a motion for
8 summary judgment, instead of a motion for leave to amend the
9 complaint. In the context of the instant motion, Plaintiffs were
10 not required to offer evidence in support of each allegation in
11 their proposed amended complaint. Accordingly, Defendant's
12 oppositions are OVERRULED.

13 IT IS SO ORDERED.

14
15 Dated: 6/26/2012

16
17
18
19
20
21
22
23
24
25
26
27
28

CLAUDIA WILKEN
United States District Judge